

1 2 3 4 5	George F. Camerlengo, State Bar No. 50232 C. Judith Johnson, State Bar No. 104557 Anthony P. O'Brien State Bar No. 232650 CAMERLENGO & JOHNSON 500 Airport Boulevard, Suite 350 Burlingame, CA 94010 Telephone: (650) 579-2911 Attorneys for Plaintiff Joseph Cocchi		
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7 8	UNITED STATES DISTRICT COURT		
9	NORTHERN DISTRICT OF CALIFORNIA		
10		Case No.: C 05-01347 JCS	
11	JOSEPH COCCHI,	JOINT STIPULATION AND	
12	Plaintiff,	[PROPOSED] ORDER	
13	v.)		
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15	CIRCUIT CITY STORES, INC. and DOES 1-20.	Magistrate Judge Joseph C. Spero Complaint Filed: February 25, 2005 Trial Date: July 24, 2006	
16 17	Defendant.	111ai Date. July 24, 2000	
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19	Based on the fact that plaintiff has requested the deposition of employees of defendant Circuit City Stores, Inc., and that defendant's counsel has stated that such employees are not available for deposition until after January 1, 2006, the parties to the above-entitled action jointly		
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22 23	stipulate to the following:		
24	1. Plaintiff and defendant stipulate that the depositions of James McGrath, Nick Lyles and		
25	the person most knowledgeable about plaintiff's termination, Circuit City's store policy		
26	on managing unruly customers and employee assault may be taken during the month of		
27	January 2006, notwithstanding the close of the period for non-expert discovery on		
28	December 30, 2005. The parties stipulate that Nick Lyles no longer works for Circuit		

1		City and that Circuit City has no ability or obligation to secure his presence at a	
2		deposition.	
3	2.	The parties will cooperate in securing the first available dates during January 2006 for the	
4		depositions referenced herein. Defendant's counsel has provided plaintiff's counsel with	
5		the last known contact information (address and phone number) for former Circuit City	
6		employee Nick Lyles.	
7	3.	Plaintiff and defendant stipulate that no further non-expert discovery will occur beyond	
8		that described in this stipulation, unless the parties agree to such discovery, or the court	
9		orders a further extension for written discovery.	
10	So Stipulated.		
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12 13	Dated:	December 19, 2005 /s/ANTHONY P. O'BRIEN	
14		ANTHONY P. O'BRIEN Attorney for Plaintiff Joseph Cocchi	
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16	Dotad	December 19, 2005 /s/REX DARRELL BERRY	
17	Dateu.	REX DARRELL BERRY	
18		Attorney for Defendant Circuit City Stores, Inc.	
19	So Oro	lered.	
20	0 Dated: _ Jan. 3, 2006		
21	Dated:	U TED STATES MAGISTRATE JUDGE	
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